

THE ROME CONTEST.

THE ORDINARY SERVED WITH NO-TICE BY THE PROHIBITIONISTS,

And He Will Not Declare the Result Until Both Sides Can Be Heard—Barkeepers Preparing for Business.

ROME, Ga., August 7.—[Special.]—This morning the town is quiet and to all appearances serene, and the people seem to be taking the result of the election as a matter of course.

There are some, however, who do not so take it. At ten o'clock, twelve or fifteen of the leading prohibitionists met in the office of Alexander and Wright to discuss the situation. Among them were Colonel D. B. Hamilton, T. F. Howell, J. A. Rouserville, Seaborn Wright, J. J. Wright, T. M. Holmes and Colonel T. W. Alexander.

The sense of the meeting was in favor of contesting the election, but it was decided to adjourn until after noon, when a larger meeting to be held at Rouserville & Brother's warehouse at three o'clock. In the meantime it was determined to file a notice of contest before noon, which was the limit of time fixed by the law.

Accordingly the following petition was drawn up and filed with the ordinary:

GORDON FLOYD COUNTY.—To H. J. Johnson, ordinary of Floyd County.—The petition of D. B. Hamilton, T. F. Howell, J. M. Holmes, W. C. Simpson, E. M. Morris, J. A. Rouserville, A. J. Alexander, Robert Battle and H. B. Parks, citizens of Floyd county, in their own behalf and in behalf of other citizens of said county, shows to the said H. J. Johnson:

In view of a petition of certain citizens of said county, said ordinary did order an election to be held in and for said county on the 6th day of August, 1888, to determine which of the two candidates for the office of sheriff should be appointed in the 6th section of the act of the general assembly of Georgia of September 2d, 1888, shall be sold in said county.

The election, as far as could be ascertained, was held in the various districts of said county, and although there has been no official designation and consolidation of the result, it is claimed and alleged by the petitioners that the result of the election was that Alexander and Wright, the two candidates for sheriff, received the largest number of votes, and that the negroes are considerably stirred up on the subject of the election.

Last evening at 6:35 Dr. Thomas A. Cheatham, a prominent member of the Atlanta Constitutional society, left Macon for Dawson with his ill and aged father, Dr. C. A. Cheatham.

Dr. C. A. Cheatham has been in north Georgia for his health, but becoming worse he desired to be carried to Dawson so he might die at his home. He reached there about 4 o'clock yesterday morning, and died at 9. His body was found in his room, snapping and snarling.

Captain Roswell Ellis, who went down on the last of the gallant charges at Gettysburg, induced Governor Gordon to make a speech before the soldiers, while an old confederate banner was displayed beneath the folds of the old flag.

The exercises were opened by an appropriate, impressive prayer from the chaplain, Rev. D. Clements, a brave old soldier and captain in the confederate service, who now suffers from the infirmities of age.

The speaker tomorrow night promises to be lively. The negroes are considerably stirred up on the subject of the election.

The petitioners come now and show that said majority is illegal and void, and that said election was cast for the sale more than 1,000 votes which are and were illegal, and which should be excluded from the consolidation and result of said election.

The upon the election of said illegal votes the legal result of said election will show a majority of 500 or more in favor of the candidate for the sale of intoxicating liquors.

Petitioners further show that said 1,000 or other large number of illegal votes, so far as can be ascertained, in the large numbers of those voters are tax defectors for various years extending from 1877 to 1888, and most said voters have failed annually to pay taxes which have been required of them, and agreed to pay the same, and which applies to the consolidation of votes in said election.

Petitioners further show that there were many other defectors, informants, frauds and illegalities in the conduct and holding of said election in the various districts, that they have not yet had opportunity to study and examine the various acts and documents connected with said election on account of the limited time which has elapsed since the holding of said election, and petitioners pray leave hereinafter to amend this petition in due time.

Whereas, upon the petitioners pray that your honor the said H. J. Johnson, ordinary, do postpone and continue the consolidation of the results of said election, and to make a new election in said county on the 1st day of October next, and that you do appoint and set a day whereupon said cause may be heard and determined.

ALEXANDER & WRIGHT,
Petitioners' Attorneys.

As Mr. Seaborn Wright handed the petition to the ordinary he remarked that he would like to have a day set for a hearing, and that in the meantime the consolidation of the returns and the consolidation of the results of said election.

"I don't know about that," said the ordinary. "I have to consult over the matter and see what my duty is; my impression is that I will have to go on and declare the result."

"Our point we would like to hear," said Mr. Wright. "It is your province to determine as to what you will do upon it. Will you hold the declaration of the result until we can be heard on that point? Set a time this afternoon or tomorrow and we will meet the lawyers on the other side and argue the question."

Mr. Johnson agreed to hold up the declaration of the result till 10 o'clock tomorrow, when he would hear from both sides on the question.

That was satisfactory, and Mr. Wright left the office.

Colonel T. W. Alexander, of the petitioners' counsel, was asked what course would be pursued if, after a hearing, the ordinary declined to hold the declaration of the result until the hearing was decided. He replied that he was not certain, but he supposed the course would be to apply to the judge of the superior court for a mandamus to compel the ordinary to hear the contest and decide it.

A large number of barkeepers are in the city and preparing to open saloons as soon as the result is known. The city is very quiet and orderly. There has been no demonstrations and good feeling prevails.

PROHIBITION IN WILKES.

A Petition Circulating.—The Council Regulating the Saloons.

WASHINGTON, Ga., August 7.—[Special.]—A prohibition campaign has been going on in Wilkes for some time, but has been kept out of the papers of the county. On yesterday the town council met and made some regulations in regard to license, which were probably designed to prohibit the sale of intoxicating liquor, which the prohibition party had in mind.

The council raised the license to \$500, forbidding screens in saloons, making stringent regulations in regard to minors, etc. This is to take effect September 1st. It remains to be seen whether the wets will thus capture a sufficient majority to enable them to stop the appeal to the legislature. There is a strong wish to avoid the contest, which is very bitter here. The measure raises the income of Washington from licenses to \$2,000. It was \$1,600.

A CHURCH ROW.

A Congregation Divided as to Pastors by an Atlanta Negro.

ALBANY, Ga., August 7.—[Special.]—M. V. Morris, a negro preacher, who came here recently, has been stirring up trouble and dissension among the churchmen. He had some trouble with Rev. Raphael Watson, the pastor of one of the churches here, and Watson, refusing to allow him to preach in his church, Morris at once began enticing Watson's members off. He gathered sufficient members about him to attempt the organization of a new church, and on Tuesday night held a meeting for organization at Redwood.

The meeting broke up in a row and the loud yelling, ringing of bells, etc., led the citizens to believe that an alarm of fire had sounded.

Tony Morris was attacked by Dan Jeffers, who claimed that the church had ousted his mother and son from homes. Morris had Jeffers arrested and placed under bonds. The negroes are very much excited and trouble may yet result.

Concord's Oil and Fertilizer Company.

CONCORD, Ga., August 7.—[Special.]—The Concord Oil and Fertilizer company's stock is on a boom now. The annual meeting of the stockholders was held yesterday, and the following officers were elected for the ensuing year: President, Colonel W. L. Peck, re-elected; vice-president, Captain John M. Zachry. All of the old directors were re-elected, except the corporation. Mr. W. H. Daniel, who will move to Atlanta in a few weeks. Mr. J. W. Almand, Sr., was elected to take his place on the board, which is as follows: Messrs. A. Whitaker, J. H. Almand, Sr., J. A. B. Stewart, J. H. Dabney and J. W. Peck. The company has a fine set of officers, and has done an extremely good business about \$2,000 of new debts and declared a dividend of ten per cent. There is only a few hundred dollars of indebtedness against the mill.

Burglary at Leesburg.

ALBANY, Ga., August 7.—[Special.]—Sheriff Martin, of Lee county, was here today and reported a bold burglary that occurred at Leesburg Tuesday night. The safe in the agent's office at the Central railroad was opened and robbed of sixty or seventy dollars. Suspicion rested on the negroes that were seen in Leesburg early in the night.

Another heavy rain fell here this evening. Unless the rains cease very soon crops will be seriously damaged. Cotton is already suffering from frost, and every rain hurts the fodder more and more. The farmers are growing anxious over the result.

MACON MATTERS.

The Automatic Refrigerator Troubles—A Republican Caucus, Etc.

MACON, Ga., August 7.—[Special.]—THE CONSTITUTION recorded today the attempted sale of the plant of the Macon Automatic Refrigerating company, and thirty dollars was the highest bid obtained, on account of the fact that given the certificates of mortgages would have to be settled by the purchase of the plant. Today the Exchange bank asked to be made a party to a bill for foreclosure of mortgages. The claim of the bank's is \$642.36. The plant will be sold August 17, under the mortgage foreclosure. The sheriff will take charge this afternoon. The mortgages amount to \$4,500.

The total indebtedness is over ten thousand dollars. When the mortgages on the Automatic are satisfied, there will not be enough money left to buy five cents worth of ice for the stockholders. The Automatic is about the most defunct thing that Macon ever knew. Perhaps it is even dead, than a corpse, for informed parties say the dead shall rise and live again. Macon Automatic stock is held all over town.

There seems to be considerable discord among certain republicans in Bibb county, and they intend to have a caucus tomorrow night to get satisfaction. They complain that no Macon republicans appointed to office by the Harrison administration. They also complain that candidates for office away from Macon seek only the endorsement of Frank Dierson, the chairman of the Bibb county republican executive committee, and P. H. Howell, delegate to the last republican national convention. Candidates seem to think that Dierson and Howell are the only representative republicans in Bibb. The meeting tomorrow night promises to be lively. The negroes are considerably stirred up on the subject.

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ATLANTA, GA., AUGUST 8, 1889.

A Golden Opportunity.

The coming Piedmont exposition will make an unsurpassed showing of the resources and industries of this region.

It will be the best opportunity that our people have ever had to show the world what they are doing and what they can do.

The directors of the exposition offer \$3,000 in prizes for county exhibits. This does not prevent the owners of articles in a county exhibit from entering them individually to compete for special prizes. The directors also offer to donate any county entering an exhibit \$300 for expenses, but this donation only applies to counties not taking one of the prizes.

These offers—the best and most liberal that were ever made by any exposition—should bring quite a number of our best counties to the front. If a few live and progressive men will bestir themselves in their counties they will find it an easy matter to get up a fine display.

It goes without saying that these county exhibits will go of incalculable benefit in advertising Georgia, and the results will come home to the exhibitors and their neighbors.

The time is short, and the directors desire to hear in the course of a few days from every county that thinks of entering. This offer cannot be held open long. Don't delay. A little talk and a little work will enable our best counties to take rank among the crowning attractions of the Piedmont exposition.

The Discussion of the Betterment Question.

It has been frequently said there was nothing in the betterments question. The continued discussion of this subject by the legislature would indicate there is some room for debate on the subject. There certainly are two sides to the question. But this is not surprising—transactions in eight million dollars' worth of property, that has paid in clear cash to the state net six million dollars in money, deserves careful consideration. The time has come for the owner of the property to look for another lessee. It is admitted that the rent has been promptly paid at the end of each month; it is admitted that the road is in as good condition, and the lessees claim in a better condition, than when it was leased; it is admitted that there are more sidetracks than when the road was leased. All this is admitted by everybody. Now, how does the legislature propose to settle the matter? The third section of the new lease act simply proposes to dispose of this whole matter by permitting the old lessees to take the excess of rolling stock, or if they want all the rolling stock, to pay for what they received at schedule prices. That is all there is in it so far as that bill goes. Suppose the lessees wait until the lease expires, and want to take more than the excess? Suppose they take it all and say they will pay the difference? It is in their possession. How in this difference to be ascertained? If it is the easiest matter in the world to drift the whole matter into litigation. We admit that some of the legal statesmen in the legislature say they are not afraid of a lawsuit. We never saw a lawyer who was, but there are plenty of people in the state who are. We have no suggestions to make about betterments. We believe the original lease act is the law of this case, and we believe that this legislature can settle the whole question fairly and squarely without losing a dollar—that they will not be required to pay under that contract—and without jeopardizing other interests, and without an expensive suit. Who knows what the present lessees claim? Has there been any effort to ascertain the amount? We doubt if there is a member of the legislature who can answer how much they claim. We are frank to say we do not know, but we do know that there has been no effort made to ascertain what the difference is. In all frankness and candor, is this the proper way to settle up a twenty year contract that has yielded a net profit to the state of six million dollars, when eight million dollars worth of property is at stake? There is not a member of the legislature who in settling with his tenant at the end of the year would not be more specific and particular, and if there was a difference, he would be a poor business man if he did not find out or try to find what his tenant claimed?

There is another clause in this third section of the lease act that is too loose to stand. "Natural wear and tear" is as broad as "more or less." Who is to determine the "natural wear and tear" for eighteen months? The woods are full of lawyers in Georgia and Tennessee who are not afraid of a lawsuit who could fill the courts with litigation over these three little words. If this comes, and the state is involved in a tangle of unprofitable litigation, we will simply call attention to the fact that we warned the legislature that it was their duty when they had this matter under discussion to treat it with the gravity the question deserved. The present legislature is framing a bill that is to be executed when their time of service has expired. There is but one way to be on the safe side, and that is to do right. Might not make right but for a short time. It would be a humiliating confession for a legislator to have to make to his constituents, if trouble did come, on being asked how much it would have cost to have averted the trouble, if he had to answer that he did not know, nor had ever tried to find out, on such a contract as this, involving so much money.

We see no reason why the present lessees should be treated as if they were robbers or were trying to take undue advantage of the

state. Their past conduct with the state does not warrant such a suspicion. If they have been derelict in a single duty, we are not aware of it, and will gladly give the use of our columns to expose it. We do not know what they claim, and hence cannot say anything about the justness of it. Every speaker so far has admitted that there is something due them—how much and what is an open question, so far as we can find out.

The present legislature has said in a resolution that the lessees should not remove the rolling stock and in this clause they say they can. They were either wrong in the resolution or they are wrong in this section, which all goes to show that there is an indeterminateness about the whole matter that ought not to exist.

If the action of this legislature was final on the matter there would be no trouble. The present lease act does not make it final. That is one feature that is not in the old lease act that ought to be in the new one. Whether it was left out on purpose we are not prepared to say, but a careful reading of the act will show that it is not there.

The question is being ably discussed in the legislature and we trust that some way will be devised by which the state will be protected and justice be done the lessees. There is a way to do that, and while such a measure would not get a unanimous vote it would stand the test of time, and be a monument to the wisdom, justice and moderation of the statesmen who supported it.

Savannah and Brunswick Versus Norfolk.

At three o'clock this afternoon the railroad committee of the house will hold a meeting for the purpose of considering the Olive bill, and the so-called substitute therefor.

It is a very important meeting of a very important committee. The question before that body, and which will come before the legislature, is whether the Georgia corporations and Georgia seaports are to be crippled in behalf of Virginia corporation and a Virginia seaport. This is the whole question. This is what the committee and the legislature will have to consider.

It is not pretended that the Georgia corporations or combinations are hurting the public; it is not pretended that they are discriminating unjustly between communities or individuals; or that they are making overcharges in any direction. It is simply proposed to make an attack on Georgia corporations and their connections in order to benefit a Virginia corporation and a Virginia seaport. That is the whole business in a nutshell.

Every sensible man in Georgia, and every sensible member of the legislature, knows that railroad combinations, no matter what shape they take, are powerless to hurt the people of Georgia. They have as a protection the railroad law and the railroad commission, and there is no imaginable species of railroad combination in this state that cannot be controlled by the law and the commission that operates under it.

There has been a somewhat vociferous quotation of a section of the state constitution as applicable to the Olive bill. The inaptitude of that quotation has already been sufficiently dwelt on by some of our alert contemporaries. We may say of the state constitution that it is not intended to authorize, nor does it authorize, the legislature of Georgia to cripple Georgia corporations and Georgia seaports in behalf of Virginia interests.

That the legislature understands the situation we have no doubt. Certainly the people of the state do not.

The People and the Railroads.

A short while ago we printed in our columns a letter from Major Wallace in answer to certain questions propounded to him by Mr. J. W. Hanlon, editor of the *Quiltman Herald*, as to the necessity for the passage of such law as the Olive bill.

Major Wallace, with his usual promptness and proverbial candor, after very briefly alluding to the prosperous condition of the people of Georgia under their transportation facilities, and also to the pleasant relations existing between the railroads and the people and also to the satisfactory financial condition of the railroads of the state, closed his brief letter with the following remarks:

There is a bill now pending in the legislature intended to give the commissioners more explicit control of joint rates that will be just and reasonable between roads having no interest in common except that which comes of being common carriers in the same line of traffic and to protect the people against the use of too many local charges. This bill is also intended to give the commissioners the power to regulate the location of depots and regulating the same so as to insure the public more comforts and greater freight accommodations. With these amendments to the old bill, I cannot see any reasonable cause for disquietude among the people or for further or stronger regulation."

In THE CONSTITUTION yesterday we printed a letter addressed by Major Wallace to Hon. R. L. Berner, chairman of the house judiciary committee, in which he makes the object and effect of the bill alluded to in the Hanlon letter so plain and so fair that a man of the most ordinary mind cannot fail to comprehend and admit the fairness of its provisions.

Major Wallace winds up this letter by repeating and reaffirming his opinion as expressed in the Hanlon letter, as follows:

In conclusion I desire to say that with the two amendments asked for in the bill now pending, the rate making power conferred would be all that could be reasonably desired for the protection of the people in the matter of local traffic.

Talking For Education.

The friends of higher education will doubtless turn out in large numbers tonight to hear Colonel N. J. Hammond's talk to the legislature.

Colonel Hammond's address is made upon invitation of the members of both branches of the legislature, and will doubtless be a most interesting, as well as most instructive, address.

The address will be delivered in the hall of the house of representatives at 8 o'clock this evening. A cordial invitation is extended to the public.

The newest attempt of the republican party to humiliate the people of the south with a fresh dose of nigger will prove to be the worst failure that party has experienced.

The nigger has been yanked out of the woodpile and put in the postoffice.

At the north the republican party desires to be known as a party of thinkers. At the south it is a party of thinkers.

When President Harrison was first elected, it was given out that one policy of his administration would be to conciliate the people of the south as much as possible. The character of his appointments, however, show a studious attempt to humiliate the people; and recent

events in Atlanta show that his appointees are more anxious to carry out the republican scheme.

SINCE Postmaster Lewis has made his plea we trust that the country has heard the last of civil service reform as a democratic argument.

EDITOR HALSTEAD is writing some long and interesting paragraphs about the European situation. The European situation appears to be a bigger thing in Europe than it is in this country.

Why is the republican administration at Washington so ignorant about the Black Diamond? Is it a sign of inefficiency?

EDITORIAL COMMENT.

THE CONVICTION OF MRS. MAYERICK was somewhat unexpected. The evidence showing the habitual use of arsenic by her husband was enough to make it doubtful whether Mayerick died from his own imprudence or a dose administered by his wife. But Mrs. Mayerick's unfaithfulness turned the jury against her, and prejudice controlled the verdict. There will be no new trial. All the prisoners do is to petition the home secretary to commute her sentence or grant a pardon. Even if she escapes the gallows the unfortunate woman is certain to pass the remainder of her life in prison.

THE EMPEROR WILLIAM doubtless thought that he was doing a right thing in sentencing Queen Victoria, an honorary colonel of dragoons, but outsiders are inclined to laugh. Of course the queen will never get into a dragon colonel's uniform, but people cannot help imagining her in that rig.

THE ALBANY EXPRESS begs the magazines to publish good poetry or none. It says that the insipid slush published in the magazines has disgusted people with poetry, and has given rise to the belief that all the poets are dead. The average magazine editor can't tell a poem from a stickful of planks.

THE GERMAN EMPEROR opened his eyes when he saw the British naval review at Ports mouth, the other day. He saw 113 ships of the line, vessels manned by 28,000 British sailors. The sight impressed him greatly. He said, "I have seen nothing like it." General Lewis has kindly consented to do. Then, too, Mr. Lyons's work is in an unfinished condition, and his personal attention to it is absolutely necessary.

This makes his remaining at the office imperative.

Not so with his daughter, however. She is out and away from that building.

General Lewis ascertained positively Monday that Mr. Lyons would not remain, and Tuesday began casting around for a successor. That afternoon he settled upon Mr. Van Pelt and tendered him the place. Mr. Van Pelt accepted, and yesterday morning entered upon the work as has been stated. He has been a republican for years, and has been in the railway mail service. Last fall he made the race for state senator against Hon. Frank P. Rice and Hon. Sam W. Small. General Lewis considers him a competent man, and feels thoroughly satisfied.

MISS LYONS'S SUCCESSOR.

Mrs. Isham, the lady who began work at Miss Lyons's desk yesterday, is well known throughout the city. She was the second wife of Professor John Isham, once principal of the Crew street school, and is Mrs. E. A. Angier's stepmother. Only the day before she went to work she was before the civil service commission and could not possibly have received a certificate from that body, as the papers have not been examined. That she passed the examination, however, no one who knows her will doubt for an instant. She will be the only lady on the eligible list.

STURGES CAN'T SERVE.

Mr. Sturges, the young white man who was pushed aside for Penny, but subsequently was assigned to the money order department, cannot be retained.

He is not old enough.

This was ascertained yesterday by General Lewis. Sturges's papers show that he passed a fine examination, but General Lewis requires a bond from him, and as the bond cannot be legal because of his minority, someone else will get the place.

WEDEMEYER WANTED BACK.

Mr. Van Pelt asked Mr. Wedemeyer to resume his place for a few days.

But the gentleman emphatically and instantly declined.

After leaving General Lewis and relating the conversation which passed between them, he said:

"I made a great mistake when I accepted the place. Then I made another when I remained there as long as I did. In fact the only sensible thing I did was to quit. I wouldn't go back now. I couldn't go back without losing my self respect. I am glad I am out of the darn mess."

He will leave Atlanta on Saturday, August 31st, and will spend two weeks in visiting state and district fairs, where the exhibit was displayed side by side with the products of that section. This exhibit of Georgia's rich and varied resources served to draw the attention of thousands to this state as a desirable place of residence, and had it not been for the yellow fever scare in Florida would no doubt have been followed by a large influx of visitors and settlers.

This year Major Glessner has arranged a novel plan of carrying Georgia on wheels. His idea is to form a party of representative Georgia farmers and carry them to the northwest, there to investigate the products, methods and machinery of that section, that they may compare them with theirs and adopt such of them as are adapted to our state. They will also speak a good word for Georgia on their travels.

That the results of such a trip must be greatly beneficial to Georgia is obvious, as these farmers will come back with enlarged ideas and experience, and their neighbors will closely watch any new methods and machinery which they may adopt.

The Central railroad will furnish the party with one of their handsome sleepers and arrange for its transportation over the route laid out. The party will be composed of representative and practical farmers, selected by the State Agricultural society and the state alliance, each organization being privileged to select one from each congressional district.

The party will leave Atlanta on Saturday, August 31st, and will spend two weeks in visiting state and district fairs, experimental farms, agricultural colleges, stock, dairy and fruit farms. No effort will be spared to make the trip a pleasant and instructive one.

GENERAL LEWIS HAS A WORD TO SAY.

General Lewis, who has raised all this row, thinks he is being wronged by the people of Atlanta, and justifies his work.

"I have done just what the law says I shall do," he said yesterday, "and yet I am abused most unmercifully. My side of the case is not fully understood, neither will the papers present it. This abuse heaped upon me is a wrong to me and my family, and an insult of the grossest kind to us."

"In what way, general?" he was asked.

"The injustice of the thing. Here I am abused simply because I am carrying out a law. Now, before Colonel Renfroe went out he found it necessary to put on a man to fill a vacancy. He selected Mr. Stanley, and sent him to me, saying that as he was going to do well he would give Stanley the place if I recommended it. I knew him to be a good man, and replied that I would be pleased with the appointment."

"And it was made?"

"Later Stanley came back saying Colonel Renfroe wanted a written suggestion. I gave it, and still later Colonel Renfroe sent me for, and during the conversation asked me if I thought Stanley could be appointed in compliance with the civil service law. I answered,

"Frankly I do not."

"But you disregarded the law in appointing two men in the money order department?"

"I did not. I wrote to a friend in Washington and to the department, trying to have the chief clerk and make the receiving teller exempt."

"And why?"

"Because of the responsible positions I preferred to select my own men to having them thrust upon me. I was informed that the chief clerk was exempt, and that it was probable the other would be. That was the way in which I made those two appointments, which are represented as my disregard of the civil service law."

"Now, all the row they are raising about Penny," continued the general, "is useless. When I found the two vacancies I found only two eligible men. One was Penny and the other Sturges. Recognizing and realizing the prejudices of these people with whom I have lived twenty years, I gave it deep study. I then determined to put the colored man where he wouldn't come in contact with the public—in the registry department—and put the white man where he would come in contact with the public. Penny's handwriting was better than Sturges'. Then, too, I had known a brother

E. D. STAHLMAN.

TWO MORE APPOINTMENTS

WERE MADE BY POSTMASTER LEWIS YESTERDAY.

The Postoffice Troubles is still the Subject of Very General Discussion, and Some Lively Opinions Are Expressed.—A Talk With General Lewis.

The end of the postoffice affair is not yet. Throughout the city the new postmaster and his negro Penny were ridiculed and discussed yesterday, and this morning a more unpopular man than General Lewis cannot be found in Atlanta.

But there was not much change in the situation at the office yesterday.

Early in the morning Mr. Lyons's successor was appointed.

And at the same time Miss Lyons's successor walked into the office.

Mr. Lyons's successor is F. M. Van Pelt.

Mrs. Isham, widow of Professor John Isham, takes up Miss Lyons's work.

MR.

BETTERMENTS TALK:

SEVERAL NOTABLE SPEECHES MADE YESTERDAY ON THE W. & A. BILL.

Messrs. Gamble, Bemer and Candler Oppose the Rankin Amendment—Mr. Huff Begins His Speech—Mr. Rawles, of Effingham, Speaks.

Yesterday was a field day in the house.

The Western and Atlantic bill was taken up immediately after the reading of the journal.

Three of the best speeches of the session were made, all of them against the Rankin amendment.

Mr. Huff, of Bibb, began his argument in favor of that amendment, but had spoken for a few minutes only when the time for adjournment arrived. Practically, then, every speech made yesterday was in opposition to that amendment.

Today the tide turns.

Mr. Huff completes his argument. Mr. Rankin himself will speak for his amendment.

Mr. Simmons, of Sumter, is expected to speak, and he is strongly in favor of the amendment.

Mr. West, of Hartwell, will probably speak in favor of it today, or at least before the discussion closes. A number of other speeches are expected, and the much-talked-of amendment will be in decidedly better shape than it was left by the hammering it received yesterday.

THE RANKIN AMENDMENT

strikes out the first portion of the section and provides: "That before the road and its appurtenances are offered for lease, it shall be ascertained by arbitration or otherwise whether the state and the present lessees, whether the road and its appurtenances shall be offered for lease in their present condition, and, if so, the amount the lessees shall receive for delivering the road and its appurtenances and equipment in such condition of the lease or leases, or whether the state and the present lessees, when the road, its appurtenances and entire present equipment, in the condition they now are, shall be offered for lease. In case of failure to agree or before a decision is made next day, then the road and its appurtenances shall be offered without further guarantee to the lessee under this act than that the same shall be in good condition as when received by the state from the present lessors."

MR. GAMBLE, of JEFFERSON,

made the first speech. It was a sledge-hammer blow at the Rankin amendment.

"The issue," he argued, "is made up between the Rankin amendment and the third section of the bill. I am opposed to the amendment for two reasons, either of which ought to insure its defeat. 1. Because it settles the question of betterments against the state. 2. Because it proposes to make a case for the lessees against the state when they could not legally make one for themselves. No tenant can sue his lessor for betterments when he is upon the lessor's premises. All he can do is to remove improvements from the premises, provided they are of such a nature as can be removed without damage to the freeholders. The lessees occupy the position of tenants and cannot sue the state for betterments; they can only remove such as are legal to remove."

The third section eliminates the question of betterments from the bill and leaves the question—if there be a question—to be hereafter settled. The third section is definite and certain in its terms. It proposes to lease the road-bed in its present condition, natural wear and tear only excepted. Any practical railroad man will tell you that the road-bed in its present condition and then calculate what the natural wear and tear will be from now until the end of the lease, and make his bid accordingly. No amendment offered, in his judgment, can improve this portion of the section. I cannot agree with the extreme position taken by the rankin amendment. Mr. Walker [Mr. Hill], holding stock of iron and timber, has argued it as argued by him, but personally, and so recognized all over the world. His position is unsupported by law or common sense. Neither can I agree with him in his construction of the contract between the state and the present lessors. Under his construction the lessors would have the right to return the road in a worse condition than when received by them."

Mr. Gamble favored the third section with the amendment proposed by himself.

MR. BERNARD OF MARIETTA,

followed in able and forcible speech.

"The third section," said he, "to which the Rankin amendment is proposed, is the essence of this lease bill. It points out, more or less accurately, what the state has to lease."

"At the matter stands now, the Louisville and Nashville control the road, and they want to lease it again. They alone, of all the roads, have an accurate knowledge as to the condition of the road. They alone are in position to figure safely on a lease bid, and to leave it so would give them a monopoly of the bidding. That is bad business policy for the state, and in opposition to the spirit of the constitution."

The contract with the state, in the law in the case, provides that the lessor has the claim to betterments on realty. They were bound by its provision to return the road in as good condition as when they received it. If they return it in better condition—if they improve the depots, or put steel rails instead of iron ones—they did it with the understanding that they were not to be paid for it, so as to cover the risk. The money so expended has not been a loss to them, but every dollar of it has brought back a dollar to the lessors.

The question is: Can the lessees, abiding by the law, so deteriorate the property from its present condition as it would be better to begin again? Should the state lease the road, as this third section proposes, or shall we arbitrate this claim for betterments?"

Let's see what there is in the threat of the lessors. Of this entire amount of \$750,000 claimed as betterments, \$350,000 is for improvements on the rolling stock. I have never considered that the state has any right to the surplus of rolling stock.

Then \$388,000 is claimed for betterments on realty, and of this \$254,182 is on the superstructure. Take an itemized list, and see what betterments they threaten to remove. Can they remove the road-bed? The ballast is a part of the road, and must be in good condition in itself, and must be so replaced. Even if they had a right to remove that ballast, would a corporation of sane men, and business men, dig up rocks from between the cross-ties to replace them with other rocks?

Will they take off the steel rails? Iron rails will cost them more than the steel, and in addition to this the work of tearing up and putting down again would cost them \$400 a mile.

Improvements on buildings, where such improvements were necessary to leave the road in as good condition as when it was received, cannot be called betterments. Where a house was in 1870 that house in as good condition, and the lessor can't get it to be in condition to be let in 1880. So with bridges, and if the lessors choose to replace a house or bridge with a better house or bridge they do so at their own risk.

This brings the claim down to \$23,250. That is all the state can less. Now, is it better to guarantee that road at a maximum possible loss of \$23,250, or to arbitrate this claim of \$750,000? The third section says "guarantees the road and track \$23,250." The Rankin amendment says "arbitrates the \$750,000." The gentleman from Gordon is an able man, honest and patriotic, and I believe that he believes his own amendment the best for the state. He did not say us from that amendment. There are through betterments in the stomach of that amendment, to take out the treasury of this state for ten years to come. That word arbitration in the Rankin amendment was embarrassing, and to release this emarrasme to my friend from Gwinnett (Mr. Smith) struck me "by arbitration or other w^t o" and I acted in such manner." I do not know what kind of a deal he made with him in this—this whitewashing over a thin place—he has improved it. They have changed the name of the serpent, but they have not taken away its sting. Commission they want led you over hear, gentlemen, of an electoral commission?"

To the 6th page of this report (the commissioners') and compare the language of Governor Brown with the language of the

Rankin amendment. The one is a counterpart of the other.

I repeat, Mr. Chairman, this Rankin amendment monopolizes the bidding to the Louisville and Nashville. The board of arbitration contemplated in it must do one of two things—throw the road back to be leased under conditions that make it impossible for the lessee to be the only bidder, or agree how much we are to pay the Louisville and Nashville for betterments.

There are two alternatives—less than \$30,000 to be risked on one hand by a definite guarantee, or the other.

That suggestion has been committed to me. I hold on this, on other questions. I am open to conviction, but I do believe that the reasons given for thinking as I do now will abide with me for a few minutes only when the time for adjournment arrived. Practically, then, every speech made yesterday was in opposition to that amendment.

Mr. Huff, of Bibb, began his argument in favor of that amendment, but had spoken for a few minutes only when the time for adjournment arrived. Practically, then, every speech made yesterday was in opposition to that amendment.

MR. RAWLES, of EFFINGHAM,

followed in a brief speech.

"I believe I am right in this legislature," said he, "that you voted on the lease bill of nineteen years ago. I was at that time, a member of the legislature. Several propositions were before the legislature at that time relative to the road. One of those propositions, I think, was to appropriate \$600,000 to the superintendence, which was to sell the road for the then considered fair price of \$30,000 per month. Then it was whispered that a Georgia company had been formed to lease at \$25,000 a month. This project materialized, and I voted for the lease bill. That vote has been sustained, and I am ready to vote for another lease bill, equally confident that the future will sustain the same. I am not afraid to say that I would submit to this body, propositions for the purchase of this property. I believe the property is worth three or four times what was considered a fair price in 1870, and I believe that the state could make more by leasing the road than by selling it. If the road could not be sold so easily, the company would get as great a rental as they are now, or than they will be in the question of what they are to receive for the lease of the road and the state on the other. Settle this question on business principles, and you will have no question of betterments left unsolved.

"The bill, which became the lease act, introduced by Hon. Donald Scott, was drawn in cooperation with Governor Brown.

"In the third section thereof, as reported, was the following clause: 'But if the road and rolling stock and its appurtenances are returned in better condition than when received by the company, the state shall compensate the company for the difference by allowing a credit of the same out of any payment or amount due the state, or paying the same in cash to the company when the state again takes possession of the road.'

"When the substitute was being considered in the house, Hon. W. P. Price, of Lumpkin, moved to strike these words from the third section, and upon the amendment the ayes were cast, and the bill was adopted. House Journal 1870, page 1020.

And with that amendment the bill passed the house, and afterward became the lease act.

Here was the distinct proposition to embody in the lease act a provision for payment for betterments, and an almost unanimous refusal of the legislature to agree to any such proposition.

During the investigation of the lease in 1872, Governor Brown, as the president of the lease company, appeared in the public prints in defense of the lease. In the Atlanta Constitution of July 9, 1872, there appeared an open letter over his signature, addressed to Hon. W. H. Phillips, in which he proposed to give the state the entire proceeds of the lease to the state, and to the state the expenses of the same.

"Is this de place whar de laws ar made?" he asked of the speaker.

"It is," replied the distinguished presiding officer of the house. "What do you want?"

"I wants to h'p make de laws," replied the d—r.

"I wants to send pupils to St. Joseph's Seminary," he said.

"What do you want with him?" asked Tom Oliver, who was in the crowd.

"I wants to see him," continued the old negro, who was in the crowd.

"Lewis Butler," was the reply. "I knows Mars' Bill Harris, an' I wants to h'p make de laws."

"No sir, ob, m—was the emphatic response, when Mr. Blaine, or some like dat, was 'lectected to de legislature when he was mighty nigh dead."

The old negro moved on muttering something that sounded like, "H'mt's moun'ou's dat I ha' been able to find dat man Harson dat 'structed me to come here."

AN IMPORTANT ARREST.

Two Police Officers Unearth a Case of Arson and Burglary.

Officers Genl. Couch and Green arrested Anna Clark, the married daughter of R. M. McAfee and Nellie McAfee, and both of the latter, and the trio are behind the bars.

In Anna's possession were found the goods that were stolen from the house of George Jordan when it was burned on the night of December 16, 1857, in Dalton.

McAfee says that his wife fired the house, and she says that he did it.

Between them rests the charge of arson and burglary.

George Jordan is a negro woman of the better class, and she had a good deal of nice furniture and furnishings, fine dresses and other things in her house when it was burned. Soon after the burning she applied to the police, and started to get out a search warrant, when they kipped off Dalton and came to Atlanta.

Their daughter Anna, married, and went to homestead on the hill above Dalton.

Some time ago Georgia began to receive mysterious letters in regard to the goods stolen from her home, and following up the clue the came to Atlanta, young and learning and placed the case in the hands of the police.

Officer Genl. Couch and Detective Green set to work and finally found a part of the goods at a house on Windsor street and some at a place on Crumley street.

When the McAfees were arrested the husband confessed that his wife had stolen the things and that the wife had been engaged with this wife and that her husband was the guilty party.

Mrs. Walker's Funeral.

The remains of Mrs. A. J. Walker were carried to Griffin for burial, on the 9:05 Central train yesterday morning.

The family accompanied the body and the funeral services occurred yesterday afternoon.

The death of Mrs. Walker was a peculiarly sad one, and has cast a shadow of grief over the hearts of many friends who knew and loved her.

A Bloody Head.

Last night at midnight Gus Stewart, a young white male, was found to fight with a stranger on Fair Street, and had his face and chin beaten and cut until the blood flowed freely.

Stewart was arrested and brought to the station-house by Patrolman Sewell, but the other man escaped.

Melon Shipments.

SAVANNAH, Ga., August 7.—[Special.]

Cars of melons forwarded from the Savannah, Florida and Western railway date: Louisville 1, Indianapolis 2, Nashville 2, New Orleans 2, Terre Haute 1.

MACON, Ga., August 7.—[Special]—Seven cars of melons from the Georgia Southern and Florida railroad today. Cincinnati 1, Birmingham 1, Chattanooga 1.

followed. He was known to be in favor of the amendment, and a general interest was felt in his plans. He is an original thinker, earnest in his convictions and always effective in delivery.

"I am not afraid of this hue-and-cry against the lease act, and the lessees will be in no danger of being compelled to pay for the lease act."

"This amendment virtually comes to the same thing as the Rankin amendment, and leaves in doubt only the amount and the manner in which this amount is to be ascertained."

"Before discussing the merits of this claim, permit me to call your attention to the confidence, or rather lack of confidence, with which it is presented by the lessors of the lease contract."

"In his letter to the general assembly, dated July 8, 1889, he says that it is true that there is no provision in the (lease) act of the legislature which gives the company anything for betterments. Further on he says that the lessors have admitted that there is no provision in the lease act of 1870, which gives the company anything for betterments. Let's adopt the Glenn amendment so the bidders can know exactly what they are going to lease. Failing in this, then take the section as it stands. Don't incorporate in a simple invitation for bids, this unnecessary suggestion of doubt as to the title of the road to its own property."

HUFF, of Monroe.

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A GENEROUS OFFER.**THE PIEDMONT EXTENDS FACILITIES TO COUNTY EXHIBITS.**

The Exhibits and Attractions, as Well as Privileges, Being Daily Arranged For—Atlanta's Opportunity.

One of the wisest as well as most generous sets of the wide awake management of the Piedmont exposition is their liberal offer to county exhibits. It will give every county an opportunity of advertising itself to the capitalists of the country without any expense to the counties. Yet with it goes a chance of carrying off prizes to the amount of \$3,000.

In addition to the following liberal prizes—the most liberal ever offered—they now offer to give any county that will exhibit, three hundred dollars for expenses, provided said county does not take one of the prizes. This certainly will bring a large number of counties, and will give an advertisement such as Georgia never has had. The prizes are:

To the county or county Farmers' Alliance making the largest and best display of products, grown or produced by residents of the county.....\$1,000

To the county or county Farmers' Alliance making the second best display as above.....700 00

To the county or county Farmers' Alliance making the third best display.....300 00

To the county or county Farmers' Alliance making the fourth best display of products, grown or produced by him or her, or under his or her direction.....500 00

To the individual making the second best display as above.....250 00

To the individual making the third best display as above.....150 00

Slight exhibits, contesting for premiums, in any of the other groups, may be included in either of the displays of this group; and individual displays may also form a part of county, or county Farm-

ers' or county displays.

County, or county Farmers' Alliance not re-

ceiving a premium will be given an allowance for

expenses incurred in exhibiting.

Already Glynn, Floyd and Douglass counties have signified their intention of exhibiting, and the numerous others that will be added to the list will make the greatest exhibit ever made of the products of Georgia. This is in keeping with the broad gauge system that the liberal spirited directors propose running the great exposition in every line.

Exhibitors from Everywhere.

Applications for exhibits are coming in from every section.

The Christian-Morelein people will make the exhibit that they made at the Cincinnati exposition.

H. Breuer & Co., Tecumseh, Mich., will bring their famous clay working machinery.

The Stewart Manufacturing company, of Chattanooga, will exhibit their electric insulators.

T. B. Holmes, of Buffalo, will bring their wood working machinery, and will form a most interesting exhibit.

Michigan and Lake Shore Seed company will make a handsome exhibit of seeds.

The Savannah Brewing company has already secured space.

In addition to the above, applications have been received from the Philene Glass Engraver company of Chicago; silk weavers, Paterson, New Jersey; and exhibits of every describable kind from every section of the country. The public is beginning to appreciate the magnitude and importance of the exposition.

W. J. M. of Mason, Michigan, will exhibit over three hundred specimens of cereals.

Aeb, the great chess player, will be on hand and offers to give one hundred dollars to any one who will defeat him at chess. This automatic chess player will be quite a feature.

The Other Attractions.

In addition to the splendid exhibits the attractions alone will be enough to draw every one that can afford it to the south. The fact that \$100,000 is to be expended in attractions and premiums, none can afford to be away from the world's greatest event of '89.

Atlanta Must Show Her Advantages.

Atlanta's pluck, enterprise and cash has inaugurated this great industrial event in the south, and every merchant and manufacturer in Atlanta should bestir himself and apply for space immediately; and go to work and make such an exhibit as will do credit to the city.

Mrs. Anna Standish is saving the light before the country. She has attracted by her marvelous growth the curiosity of the whole country north and south. The people who come to the exposition will expect to see there all of the numberless manufacturers which have sprung up in our midst within the past quarter of a century. We have selected Atlanta as the greatest commercial and manufacturing center of the south, and let us prove by our exhibit at our own exposition, as the multitude who visit Atlanta will not have time to go through our machine shops and factories. The liberality of Atlanta's citizens has planted for them a fine crop, and if a proper advertising is taken of it a rich harvest will be reaped.

Sixteen Days of Racing.

The racing programme is now in the hands of the printer, and will be given to the public in a few days. There has already been quite a demand for information upon this prominent feature of the exposition. The racing programme will amount to nearly \$10,000, and will consist of six days of trotting and ten days of running, making a total of sixteen days of fine sport.

The interest already manifested by the leading turfmen of the country is remarkable, there being a constant demand for programmes, and this goes to show that the racing at the exposition will be of exceptional interest, and largely attended by some of the best turfmen and their stables in the United States.

The track is now being put in first class condition, and by September 1st will compare favorably with any race course in the United States.

There are always a corps of workers at the exposition headquarters who will be pleased to give any information desired to exhibitors, privileged people and others.

Mr. Steve Postell returned this morning from Chattanooga, and reports bright prospects. The Chattanooga Times of yesterday has a column of news, and interview with Mr. Postell and the results will be quite a number of handsome exhibits of the manufacturing industries of Chattanooga.

The boom has commenced, and before the first of October the entire building will have every available space occupied.

Rheumatism and Catarrh.

Rheumatism and catarrh are both blood disease in many severe cases they have yielded to treatment with B. B. (Botanic Blood Balm), made by Blood Balm Co., Atlanta, Ga. Write for book of convincing proofs. Sent free.

R. P. Dodge, Atlanta, Ga., says: "My wife had catarrh and nothing did her any good. Her constitution finally failed and poison got into her blood. I placed her on a use of B. B. B., and to my surprise her recovery was rapid and complete."

W. P. McDaniel, Atlanta, Ga., writes: "I was much emaciated and had rheumatism so bad I could not get along without crutches. I also had neuralgia in the head. First-class physicians did me no good. Then I tried B. B. B., and its effects were magical. I cheerfully recommend it as a good tonic and quick cure."

Mrs. Matilda Nichols, Knoxville, Tenn., writes: "Had catarrh six years and a most distressing cough, and my eyes were much swollen. Five bottles of B. B. B., thank God! cured me."

John M. Davis, Tyler, Texas, writes: "I was subject to a number of years to spells of inflammatory rheumatism, which six bottles of B. B. B., thank heaven, has entirely cured. I have not felt the slightest pain since."

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